

106TH CONGRESS
1ST SESSION

H. R. 3445

To amend title 10, United States Code, to allow the Secretaries of the military departments to authorize civilian special agents of their respective military criminal investigative organizations to execute warrants and make arrests.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

Mrs. FOWLER introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To amend title 10, United States Code, to allow the Secretaries of the military departments to authorize civilian special agents of their respective military criminal investigative organizations to execute warrants and make arrests.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY FOR CIVILIAN SPECIAL AGENTS OF**
2 **MILITARY DEPARTMENT CRIMINAL INVES-**
3 **TIGATIVE ORGANIZATIONS TO EXECUTE WAR-**
4 **RANTS AND MAKE ARRESTS.**

5 (a) DEPARTMENT OF THE ARMY.—(1) Chapter 373
6 of title 10, United States Code, is amended by adding at
7 the end the following new section:

8 **“§ 4027. Civilian special agents of the Criminal Inves-**
9 **tigation Command: authority to execute**
10 **warrants and make arrests**

11 “(a) AUTHORITY.—The Secretary of the Army may
12 authorize any Department of the Army civilian employee
13 described in subsection (b) to have the same authority to
14 execute and serve warrants and other processes issued
15 under the authority of the United States and to make ar-
16 rests without a warrant as may be authorized under sec-
17 tion 1585a of this title for special agents of the Defense
18 Criminal Investigative Service.

19 “(b) AGENTS TO HAVE AUTHORITY.—Subsection (a)
20 applies to any employee of the Department of the Army
21 who is a special agent of the Army Criminal Investigation
22 Command (or a successor to that command) whose duties
23 include conducting, supervising, or coordinating investiga-
24 tions of criminal activity in programs and operations of
25 the Department of the Army.

1 “(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—
 2 The authority provided under subsection (a) shall be exer-
 3 cised in accordance with guidelines prescribed by the Sec-
 4 retary of the Army and approved by the Secretary of De-
 5 fense and the Attorney General and any other applicable
 6 guidelines prescribed by the Secretary of the Army, the
 7 Secretary of Defense, or the Attorney General.”.

8 (2) The table of sections at the beginning of such
 9 chapter is amended by adding at the end following new
 10 item:

“4027. Civilian special agents of the Criminal Investigation Command: authority
 to execute warrants and make arrests.”.

11 (b) DEPARTMENT OF THE NAVY.—(1) Chapter 643
 12 of title 10, United States Code, is amended by adding at
 13 the end the following new section:

14 **“§ 7451. Special agents of the Naval Criminal Inves-**
 15 **tigative Service: authority to execute**
 16 **warrants and make arrests**

17 “(a) AUTHORITY.—The Secretary of the Navy may
 18 authorize any Department of the Navy civilian employee
 19 described in subsection (b) to have the same authority to
 20 execute and serve warrants and other processes issued
 21 under the authority of the United States and to make ar-
 22 rests without a warrant as may be authorized under sec-
 23 tion 1585a of this title for special agents of the Defense
 24 Criminal Investigative Service.

1 “(b) AGENTS TO HAVE AUTHORITY.—Subsection (a)
2 applies to any employee of the Department of the Navy
3 who is a special agent of the Naval Criminal Investigative
4 Service (or any successor to that service) whose duties in-
5 clude conducting, supervising, or coordinating investiga-
6 tions of criminal activity in programs and operations of
7 the Department of the Navy.

8 “(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—
9 The authority provided under subsection (a) shall be exer-
10 cised in accordance with guidelines prescribed by the Sec-
11 retary of the Navy and approved by the Secretary of De-
12 fense and the Attorney General and any other applicable
13 guidelines prescribed by the Secretary of the Navy, the
14 Secretary of Defense, or the Attorney General.”.

15 (2) The table of sections at the beginning of such
16 chapter is amended by adding at the end following new
17 item:

“7451. Special agents of the Naval Criminal Investigative Service: authority to
execute warrants and make arrests.”.

18 (c) DEPARTMENT OF THE AIR FORCE.—(1) Chapter
19 873 of title 10, United States Code, is amended by adding
20 at the end the following new section:

1 **“§ 9027. Civilian special agents of the Office of Spe-**
2 **cial Investigations: authority to execute**
3 **warrants and make arrests**

4 “(a) AUTHORITY.—The Secretary of the Air Force
5 may authorize any Department of the Air Force civilian
6 employee described in subsection (b) to have the same au-
7 thority to execute and serve warrants and other processes
8 issued under the authority of the United States and to
9 make arrests without a warrant as may be authorized
10 under section 1585a of this title for special agents of the
11 Defense Criminal Investigative Service.

12 “(b) AGENTS TO HAVE AUTHORITY.—Subsection (a)
13 applies to any employee of the Department of the Air
14 Force who is a special agent of the Air Force Office of
15 Special Investigations (or a successor to that office) whose
16 duties include conducting, supervising, or coordinating in-
17 vestigations of criminal activity in programs and oper-
18 ations of the Department of the Air Force.

19 “(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—
20 The authority provided under subsection (a) shall be exer-
21 cised in accordance with guidelines prescribed by the Sec-
22 retary of the Air Force and approved by the Secretary of
23 Defense and the Attorney General and any other applica-
24 ble guidelines prescribed by the Secretary of the Air Force,
25 the Secretary of Defense, or the Attorney General.”.

- 1 (2) The table of sections at the beginning of such
2 chapter is amended by adding at the end following new
3 item:

“9027. Civilian special agents of the Office of Special Investigations: authority
to execute warrants and make arrests.”.

